

ORDINANCE NO. 33 -O-2006

**AN ORDINANCE OF THE VILLAGE OF WILLOW SPRINGS,
COOK COUNTY, ILLINOIS, AMENDING CHAPTER FIVE
OF THE WILLOW SPRINGS VILLAGE CODE**

WHEREAS, the Village of Willow Springs, Cook County, Illinois, (the "Village") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and;

WHEREAS, Chapter 5 of Title 1 of the Willow Springs Village Code entitled "*Officers and Employees*" contains different procedural methods for the appointment of a candidate to an office of the Village; and,

WHEREAS, it is the intent of the Village President and Board of Trustees to create a uniform method of appointment to the various employment positions of the Village; and,

WHEREAS, the Village President and Board of Trustees desire to undertake the following legislative action in order to accomplish the foregoing.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Willow Springs, Cook County, Illinois, as follows:

Section 1. Chapter 5 of Title 1 of the Willow Springs Village Code is hereby amended by deleting Sec. 1-5D-1 in its entirety and substituting the following language in its place:



"Sec. 1-5D-1. Establishment of Position; Appointment:

There is hereby established the position of Deputy Clerk, an administrative position of the Village. The Deputy Clerk shall be appointed by the Village President with the advice and consent of the Board of Trustees."

Section 2. Chapter 5 of Title 1 of the Willow Springs Village Code is hereby amended by deleting Sec. 1-5F-1 in its entirety and substituting the following language in its place:

"Sec. 1-5F-1. Establishment of Position; Appointment:

There is hereby established the office of Village Treasurer, an administrative position of the Village. The Village Treasurer shall be appointed by the Village President with the advice and consent of the Board of Trustees."

Section 3. Chapter 5 of Title 1 of the Willow Springs Village Code is hereby amended by deleting Sec. 1-5G-1 in its entirety and substituting the following language in its place:

"Sec. 1-5G-1. Establishment of Position; Appointment; Qualification:

There is hereby established the office of Village Attorney. The Village Attorney shall be appointed by the Village President with the advice and consent of the Board of Trustees. The Village Attorney shall be an attorney licensed to practice law in the State."

Section 4. Chapter 5 of Title 1 of the Willow Springs Village Code is hereby amended by deleting Sec. 1-5H-1 in its entirety and substituting the following language in its place:

"Sec. 1-5H-1. Establishment of Position; Appointment; Qualification:

There is hereby established the office of Village Prosecutor. The Village Prosecutor shall be appointed by the Village President with the advice and consent of the Board of Trustees. The Village Prosecutor shall be an

attorney licensed to practice law in the State. The Village Prosecutor may, but need not be, the Village Attorney."

Section 5. Chapter 5 of Title 1 of the Willow Springs Village Code is hereby amended by deleting Sec. 1-5I-1 in its entirety and substituting the following language in its place:

"Sec. 1-5I-1. Establishment of Position; Appointment; Term:

There is hereby established the office of Fire Chief, an administrative position of the Village. The Fire Chief shall be appointed by the Village President with the advice and consent of the Board of Trustees. The term of the Fire Chief shall be for one year, commencing May 1, or the day of appointment if it shall occur thereafter, and shall terminate on April 30 of the following year. In the event of resignation, or the termination of such term by lapse of time, the Fire Chief shall continue to carry out his duties until a successor is appointed."

Section 6. Chapter 5 of Title 1 of the Willow Springs Village Code is hereby amended by deleting Sec. 1-5K-1 in its entirety and substituting the following language in its place:

"Sec. 1-5K-1. Establishment of Position; Appointment; Term:

There is hereby established the office of Director of Public Works, an administrative position of the Village. The Director of Public Works shall be appointed by the Village President with the advice and consent of the Board of Trustees. The term of the Director of Public Works shall be for one year, commencing May 1, or the day of appointment if it shall occur thereafter, and shall terminate on April 30 of the following year. In the event of resignation, or the termination of such term by lapse of time, the Director of Public Works shall continue to carry out his duties until a successor is appointed."

Section 7. Chapter 5 of Title 1 of the Willow Springs Village Code is hereby amended by deleting Sec. 1-5L-1 in its entirety and substituting the following language in its place:

"Sec. 1-5L-1. Establishment of Position; Appointment; Term:

There is hereby established the office of Building Commissioner, an administrative position of the Village. The Building Commissioner shall be appointed by the Village President with the advice and consent of the Board of Trustees. The term of the Building Commissioner shall be for one year, commencing May 1, or the day of appointment if it shall occur thereafter, and shall terminate on April 30 of the following year. In the event of resignation, or the termination of such term by lapse of time, the Building Commissioner shall continue to carry out his duties until a successor is appointed."

Section 8. Chapter 5 of Title 1 of the Willow Springs Village Code is hereby amended by deleting Sec. 1-5M-1 in its entirety and substituting the following language in its place:

"Sec. 1-5M-1. Establishment of Position; Appointment; Term:

There is hereby established the office of Plumbing Inspector, an administrative position of the Village. The Plumbing Inspector shall be appointed by the Village President with the advice and consent of the Board of Trustees. The term of the Plumbing Inspector shall be for one year, commencing May 1, or the day of appointment if it shall occur thereafter, and shall terminate on April 30 of the following year. In the event of resignation, or the termination of such term by lapse of time, the Plumbing Inspector shall continue to carry out his duties until a successor is appointed."

Section 9. Chapter 5 of Title 1 of the Willow Springs Village Code is hereby amended by deleting Sec. 1-5N-1 in its entirety and substituting the following language in its place:

"Sec. 1-5N-1. Establishment of Position; Appointment; Term:

There is hereby established the office of Health Inspector, an administrative position of the Village. The Health Inspector shall be appointed by the Village President with the advice and consent of the

Board of Trustees. The term of the Health Inspector shall be for one year, commencing May 1, or the day of appointment if it shall occur thereafter, and shall terminate on April 30 of the following year. In the event of resignation, or the termination of such term by lapse of time, the Health Inspector shall continue to carry out his duties until a successor is appointed. The position of Health Inspector was previously named 'Health Officer.' Therefore, any other reference within this code to the 'Health Officer' shall hereinafter mean the Health Inspector."

Section 10. Chapter 5 of Title 1 of the Willow Springs Village Code is hereby amended by deleting Sec. 1-5O-1 in its entirety and substituting the following language in its place:

"Sec. 1-5O-1. *Establishment of Position; Appointment; Term:*

There is hereby established the office of Director of Code Enforcement, an administrative position of the Village. The Director of Code Enforcement shall be appointed by the Village President with the advice and consent of the Board of Trustees. The term of the Director of Code Enforcement shall be for one year, commencing May 1, or the day of appointment if it shall occur thereafter, and shall terminate on April 30 of the following year. In the event of resignation, or the termination of such term by lapse of time, the Director of Code Enforcement shall continue to carry out his duties until a successor is appointed."

Section 11. Chapter 5 of Title 1 of the Willow Springs Village Code is hereby amended by deleting Sec. 1-5P-1(B) in its entirety and substituting the following language in its place:

"Sec. 1-5P-1(B). *Appointment:*

The Village Administrator shall be an administrative position of the Village.

The Village Administrator shall be appointed by the Village President with the advice and consent of the Board of Trustees. The Village Administrator shall serve at the pleasure of the Village President and Board of Trustees. The Village Administrator shall be chosen solely on the

basis of executive and administrative qualifications with special reference to actual experience in, or knowledge of municipal government in respect to the duties of employment hereinafter set forth. The Village President and Board of Trustees may, but shall not be required to, enter into an employment agreement with any Village Administrator, which agreement shall set forth the term, duties, salary, provisions for termination, benefits and any other matters generally found in an employment agreement."

Section 12. Chapter 5 of Title 1 of the Willow Springs Village Code is hereby amended by deleting Sec. 1-5Q-1 in its entirety and substituting the following language in its place:

"Sec. 1-5Q-1. Establishment of Position; Appointment:

There is hereby established the office of Director of Planning and Zoning, an administrative position of the Village. The Director of Planning and Zoning shall be appointed by the Village President with the advice and consent of the Board of Trustees."

Section 13. Chapter 5 of Title 1 of the Willow Springs Village Code is hereby amended by deleting Sec. 1-5R-1 in its entirety and substituting the following language in its place:

"Sec. 1-5R-1. Establishment of Position; Appointment; Term:

There is hereby established the office of Electrical Inspector, a part time administrative position of the Village. The Electrical Inspector shall be appointed by the Village President with the advice and consent of the Board of Trustees. The term of the Electrical Inspector shall be for one year, commencing May 1, or the day of appointment if it shall occur

thereafter, and shall terminate on April 30 of the following year. In the event of resignation, or the termination of such term by lapse of time, the Electrical Inspector shall continue to carry out his duties until a successor is appointed."

Section 14. This Ordinance shall be in full force and effect from and after its passage and approval, and shall subsequently be published in pamphlet form as provided by law.

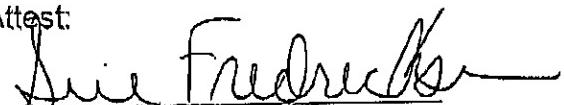
ADOPTED this 28th day of September, 2006, pursuant to the following roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Bartunek		✓		
Bohac			✓	
Kaptur	✓			
Krueger	✓			
Mesec	✓			
Stanphill			✓	
(Mayor Nowaczyk)				✓
TOTAL	<u>3</u>	<u>1</u>	<u>2</u>	<u>1</u>

APPROVED this 28th day of September, 2006,


Alan Nowaczyk, Village President

Attest:


Sue Fredrickson, Village Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

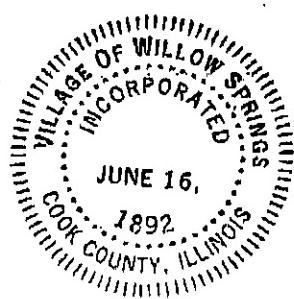
CERTIFICATION

I, Sue Fredrickson, DO HEREBY CERTIFY that I am the duly qualified Village Clerk of the Village of Willow Springs, Cook County, Illinois, and that as such Clerk I do have charge of and custody of the books and records of the Village of Willow Springs, Cook County, Illinois.

I DO HEREBY FURTHER CERTIFY that the foregoing is a full, true and correct copy of Ordinance No. ____ -O-2006, "AN ORDINANCE OF THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS, AMENDING CHAPTER FIVE OF THE WILLOW SPRINGS VILLAGE CODE," adopted and approved by the Village President and Board of Trustees of the Village of Willow Springs, Illinois on September 28, 2006.

IN WITNESS WHEREOF, I have hereunto affixed my hand and the Corporate Seal of the Village of Willow Springs, Cook County, Illinois this 28th day of September, 2006.

Sue Fredrickson
Sue Fredrickson, Village Clerk
Village of Willow Springs, Cook County, Illinois



**VILLAGE OF WILLOW SPRINGS
PERSONNEL POLICY MANUAL**

President

Alan Nowaczyk

Village Clerk

Susan Fredrickson

Village Administrator

Trustees

Robert Bartunek
Dave Bohac
Annette Kaptur
Steven Krueger
Robert Mesec
Kathryn Stanphill

**PLAINTIFF'S
EXHIBIT**

B.

**VILLAGE OF WILLOW SPRINGS
PERSONNEL POLICY MANUAL**

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ARTICLE I - INTRODUCTION

It is the purpose of the personnel rules and regulations set forth in this Personnel Policy Manual of the Village of Willow Springs to establish normal policies and procedures which will serve as guidelines for action concerning various personnel administration activities. These rules and regulations are intended to indicate the customary and reasonable methods whereby the aims of the personnel program may be implemented.

The policies contained in this Personnel Policy Manual apply to all Village employees, unless positions are specifically exempted in the Manual. Many personnel functions related to sworn employees in the Police Department are established in the agreement with the Fraternal Order of Police; however, that contract has been considered in the formulation of these procedures.

1.1 Forward

The success of Village operations is contingent upon the productive efforts and capabilities of all Village employees. Since it is essential that all personnel seek to achieve the objective of providing quality service to the public, this manual has been prepared to outline the duties and responsibilities of the Village Staff.

The Personnel Police Manual should be viewed as both a management tool and an informational resource. All employees are required to familiarize themselves with the contents and refer to the manual whenever specific questions or problems arise. If you need an explanation of any Village policy, consult with your supervisor, department head, or the Village Administrator.

Through the implementation of the Personnel Policy Manual, employees shall expect fair, courteous, and considerate treatment which recognizes the individuality and dignity of those employed.

The contents of this Personnel Policy Manual may be periodically amended to insure relevance to day-to-day circumstances encountered in the Village. The Village reserves the right to change, interpret, withdraw or add to any of the policies, benefits or terms and conditions of employment at its sole discretion, and without prior notice or consideration to any employee. None of the policies, benefits or terms and conditions of employment have been or are required to be approved by an employee or any employee group. This manual supersedes all prior policies and practices.

Nothing in this manual shall be construed to (1) give any employee of the Village any right to continuation of benefits or policies herein stated; (2) be evidence of any agreement or understanding express or implied that the Village will employ or continue to employ any employee at any particular rate of remuneration or with any benefit outlined herein; or (3) create any rights, and therefore nothing contained herein represents any type of contract of employment.

It is the policy of the Village that all employees are at-will employees and may be terminated by the Village at any time when the Village determines at its sole discretion that is in the best interests of the Village to do so.

1.2 Code of Ethics

All members of the Village Staff should assume an obligation to maintain the highest standards of professionalism as public employees. It shall be the duty and role of each Village employee to strive to:

- A. Effectively administer and implement the policies and procedures as established by the Village Board of Trustees, or their representative(s).
- B. Provide the highest level of service to the public in an impartial and efficient manner.
- C. Comply with all laws, ordinances, rules and regulations as required.
- D. Encourage and maintain open communications between the Village Government and the citizens of Willow Springs.
- E. Interact with the public in a polite and cooperative manner to provide a positive image of the Village of Willow Springs.
- F. Maintain a spirit of cooperation and teamwork between fellow employees to effectively carry out the goals and tasks of the organization.
- G. Maintain the highest level of honesty and integrity in all dealings with the public, outside parties and other employees.

1.3 Coverage of Personnel Policy Manual Provisions

This Personnel Policy Manual has been adopted by the Village Board under Resolution/Ordinance 98-R-P. The provisions of this Personnel Policy Manual are applicable to all appointed officers and regular and temporary employees of the Village.

- A. Utilization of official information not available to the general public.
- B. Utilization of Village time, facilities or equipment, except for special Police details.
- C. Activities which are, or may appear to be, a conflict of interest.
- D. Acceptance of employment with a vendor or individual which requires approval or review of any department of the Village.
- E. Activities which are prohibited by Federal, State, or local statutes.

5.12 Political Activities and Affiliations Within the Village of Willow Springs

Village employees may participate in political affairs at any level of government provided that such participation does not adversely affect the performance of the employee or adversely affect the conduct of Village business. Employees may not involve themselves in any political activity during assigned working hours.

No Village employee may be appointed, promoted, dismissed or retained on the basis of his/her political activities or views. No employee shall be coerced to participate in political campaigns, solicit votes or contribute funds for any political purpose.

Any full or part-time Village employee who wishes to run for Village President or Village Trustee of the Village of Willow Springs must first take an unpaid leave of absence from employment with the Village. This leave is to commence with the first formal activities of the employee to obtain nomination or election to the office and will end upon the completion of all activities connected with the office.

5.13 Dress Code

All employees shall wear appropriate clothing necessary to perform their duties including interaction with the public. Public Works employees shall wear shirts and any necessary protective clothing. The Village may provide clothing which identifies the employee as a representative of the Village. Fire Personnel shall be provided with appropriate safety and protective clothing and gear.

ARTICLE VI - DISCIPLINARY MEASURES AND GRIEVANCE PROCEDURE

6.1 Disciplining of Employees

The continued employment of each Village employee shall be contingent upon adherence to acceptable norms of conduct, satisfactory job performance, and compliance with the Personnel Policy Manual or any other Village organizational rules and regulations, and the need of the Village to maintain the employee's job position. Such adherence is necessary to maintain an efficient and equitable organization and work environment.

Department heads and supervisors shall discuss any deficiencies or work related problems with individual employees. It is the responsibility of an employee to correct any faults in performing his/her duties and abide by the rules and regulations of the Village. Failure to abide by this basic organizational requirement shall result in corrective disciplinary procedures.

6.2 Corrective Disciplinary Procedures

Village corrective disciplinary procedures may be of a progressive nature whenever appropriate. Such a progression may involve the measures listed as follows:

- A. Verbal warning administered by Village Administrator, department head or supervisor with possible written documentation submitted to employee personnel file.
- B. Written warning administered by Village Administrator, department head or supervisor with copy submitted to employee personnel file.
- C. Suspension (1-3 days) without pay by department head with concurrence of Village Administrator. Written documentation submitted to Village Administrator and employee personnel file. Suspension in excess of 3 days (up to 30 days) must be approved by the Village Board.
- D. Recommendation of dismissal by department head to Village Administrator with written documentation submitted to employee personnel file.

If corrective disciplinary action warrants deviating from progressive steps, the Village may take such necessary action. When deviating from progressive procedures, the Village should weigh actions in the context of the severity of the offense, previous disciplinary action, and previous corrective action attempted.

During a disciplinary suspension an employee shall not accrue sick leave, vacation leave or receive holiday pay. Suspension or termination of sworn police personnel shall be governed by State statutes and the President and Village Board of Trustees.

6.3 Causes for Disciplinary Action

Corrective disciplinary action shall be applied in cases involving unacceptable job performance or misconduct. The following list shall include, but not be limited to, those acts considered to be grounds for corrective disciplinary action:

- A. Violation of any provision of the Personnel Policy Manual, or any other organizational rules and regulations.
- B. Intentional refusal or failure to perform any valid request, instruction or order of a supervisor.
- C. Engaging in conduct unbecoming a public employee.
- D. Usage, possession, or being under the influence of illegal drugs or alcoholic beverages while on duty or on Village property.
- E. Falsification of any document, information, report or statement.
- F. Willful abuse, neglect or carelessness resulting in damage to public or private property or equipment.
- G. Unsafe, illegal or hazardous operation of equipment or vehicles.
- H. Refusal to submit to a medical exam if requested by the Village Administrator.
- I. Absence without official authorization, or habitual absenteeism or tardiness.
- J. Failure to properly report any accident or personal injury.
- K. Conviction of a felony or other crime involving moral turpitude.
- L. Unauthorized use of Village equipment, property, or funds.
- M. Failure or inability to adequately meet the minimum work requirements as listed in the employee job description as may be hereinafter adopted and as established by the department head.
- N. Failure to address deficiencies noted by supervisory personnel during formal or informal reviews.
- O. Any other act, or failure to act, which may disrupt Village operations, endanger the health or well being of the public or another employee, or bring discredit to the Village of Willow Springs.